

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

FREDDIE LOUIS DILLARD,

Civil File No. 05-2087 (JNE/JGL)

Petitioner,

v.

ORDER

STATE OF MINNESOTA,

Respondent.

The above-entitled matter came before the Court upon the Report and Recommendation of the Chief United States Magistrate Judge. Objections have been filed to that Report and Recommendation in the time period permitted.

Based upon the Report and Recommendation of the Magistrate Judge, and all the files, records and proceedings herein,

IT IS HEREBY ORDERED that:

1. Petitioner's Objections to the Report and Recommendation are overruled.
 2. Petitioner's Application for a Writ of Habeas Corpus (Docket No. 1) is DENIED;
 3. Petitioner's Application to Proceed in forma pauperis (Docket No. 2) is DENIED;
- and
4. This action is summarily DISMISSED WITHOUT PREJUDICE.

Dated: October 12, 2005

s/ Joan N. Ericksen
JOAN N. ERICKSEN, Judge
United States District Court